

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AARON D. SEYMOUR,
Plaintiff,
v.
DOE 1, et al.,
Defendants.

Case No. 1:21-cv-01485-AWI-EPG (PC)
ORDER RE: PLAINTIFF'S DECLARATION
REGARDING SERVICE OF DISCOVERY
(ECF No. 21)

Aaron D. Seymour ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action.

On January 21, 2022, Plaintiff filed a declaration regarding service of discovery. (ECF No. 21). Plaintiff states that he served interrogatories and a request for production of documents on defendant Degough in order to ascertain the names of defendants Doe 1 and Doe 2.

The Court notes that defendant Degough has not yet appeared in this action. Additionally, discovery has not yet been opened. Finally, the Court has already asked the California Department of Corrections and Rehabilitation ("CDCR") to identify Defendants Doe 1 and Doe 2 and to provide a Notice of E-Service Waiver stating whether these defendants will waive service of process.

If the CDCR does not identify the Doe Defendants, the Court will provide a deadline in the scheduling order (which will be forthcoming) for Plaintiff to identify them and to substitute named defendants in their place. When the Court issues the scheduling order, the Court will

1 also open discovery generally. If necessary, once discovery has been opened, Plaintiff may
2 request this information through discovery requests to defendant Degough or through a third
3 party subpoena.

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5 IT IS SO ORDERED.

6 Dated: January 25, 2022

/s/ Eric P. Grogan
7 UNITED STATES MAGISTRATE JUDGE
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